

NORTH HEIDELBERG TOWNSHIP  
BOARD OF SUPERVISORS

December 22, 2021

The regular monthly meeting of the Board of Supervisors of North Heidelberg Township was called to order at 7:00 P.M. The pledge of allegiance to the flag followed. Supervisors present were Chairman Mitch Wolfe, Supervisor David Pool, and Supervisor Robert Klinger. Also in attendance were Township Solicitor Beth Kohl, and Township Secretary Tanya Taatjes.

Minutes – The minutes from the November 23, 2021 BOS meeting were reviewed with no additions or corrections. Chairman Wolfe made a motion to accept the minutes as submitted. The motion was seconded by Supervisor Klinger and the motion carried.

Treasurer's Report – The treasurer's report was provided for review. It was noted that the American Rescue Plan (ARP) money is included in the General Fund. Resident Walter Stewart recommended placing the funds in a sub account. Chairman Wolfe made a motion that the treasurer's report be accepted as submitted subject to audit. Supervisor Pool seconded the motion. Motion carried.

Public Comments on Agenda Items Only – None

Tax Collectors Report- The monthly Tax Collector Report was reviewed by Kloma Kalbach. January interim bills were printed in error by the county, so mailing will be delayed. Sitting hours for 2022 were reviewed.

Correspondence -

- a. The case of the Commonwealth v. Harold Hoch has been settled. Mr. Hoch has been placed in the Accelerated Rehabilitative Disposition Program and placed on probation for 3 months. He has also been ordered to serve in the Community Service Program, attend counseling, and pay fines, costs, and restitution in the amount of \$100.00.

Planning Commission –

- a. The PC received a plan for review titled Todd La Follette Poultry Operation. The plan proposes the construction of 3 poultry barns on an existing agriculture parcel. Township Engineer Rhode reviewed the plan. It is his opinion that the current plan will require a special exception and will need to go before the ZHB. He will continue to work with the applicant on a revised plan to resolve the AEU'S per acre and driveway surface issues.
- b. North Heidelberg Township was asked to vote on the amendment for designating convenience stores with fuel pumps as a separate/distinct use permitted in appropriate zoning districts. The Ordinance was already subject to a required public hearing and was readvertised. A motion was made by Chairman Wolfe to vote on the Ordinance and seconded by Supervisor Pool. Motion carried. A motion was then made by Chairman Wolfe to accept the Ordinance and seconded by Supervisor Pool. Supervisor Klinger opposed. His opposition was based on traffic concerns. There was a general discussion about potential traffic improvements that will be required if the proposed plan goes through. Resident Walter Stewart suggested that Supervisor Klinger should

have abstained from a vote due to a conflict of interest. Solicitor Kohl explained that it was not a conflict of interest. The motion carried.

An Ordinance to provide for solar farms as a special exception use in HC, LI, and GI zoning districts was discussed at the Joint PC meeting. There are currently no regulations in the Joint Zoning Ordinance regarding solar farms. Resident Jim Tomanelli questioned how the zoning districts were decided. Solicitor Kohl explained that the Ordinance would apply to solar installation as a primary use of a parcel of land, not as an accessory use. It was also noted that any farms that have sold development rights are not allowed to participate in solar farms. No action was taken. It will be on the agenda for further discussion at the January Joint PC meeting and has been provided to the North Heidelberg Township PC for review and recommendation.

Kraft Code Services Report- No report provided

Road Report- Both the new garage door and truck tires have been installed. The salt shed is full.

Old Business- A motion was made by Chairman Wolfe and seconded by Supervisor Pool to adopt the 2022 budget. Motion carried.

New Business

- a. A motion was made by Chairman Wolfe and seconded by Supervisor Pool to donate \$500 to each of the Township's 3 fire companies. Motion carried.
- b. A motion was made by Chairman Wolfe to adopt Millage Rate Resolution 05-2021. Supervisor Pool seconded the motion and the motion carried. The millage rate will remain at 1.0 mills.

Solicitor-

- a. A motion was made by Chairman Wolfe and seconded by Supervisor Klinger to adopt the Dispatch Services Resolution 06-2021. Motion carried.

Action Items- None

Public Comment- Resident Walter Stewart's recent RTK request for a copy of the Notice of Violation (NOV) sent by Jeff Fiant/North Heidelberg Township to Ruth and Robert Klinger was denied. Solicitor Kohl explained that internal communications between the Township and the Solicitor are protected under attorney client privilege. Furthermore, under the RTK law, NOV's are considered non-criminal investigative documents and are exempt from release. Mr. Stewart asked the BOS to release the document. Chairman Wolfe declined releasing the NOV before speaking further to Solicitor Hartman and Jeff Fiant. Supervisor Klinger also declined to release the document on his own.

Next Regular Meeting, Wednesday, January 26, 2022 at 7:00 PM.

Bills- A motion was made by Chairman Wolfe and seconded by Supervisor Klinger to pay bills and adjourn. Motion carried. The meeting was adjourned at approximately 7:35 PM.

Respectfully submitted,

Tanya Taatjes, Secretary

People in attendance:

1. Barry Goodhart
2. Jim Tomanelli
3. Randy Lutz
4. Russell Getz
5. John Kissling
6. John Kalbach
7. Kloma Kalbach
8. Walter Stewart
9. Dave Hopkins
10. Jeff Schatz
11. Ken Kiebach